

Housing Support Assistance Amendment 2016

Certified to be
in order for
signing by the
Minister

This instrument is made under section 124(1)(d) of the Social Security Act 1964 by the Minister for Social Development.

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Instrument

1 Title

This instrument is the Housing Support Assistance Amendment 2016.

2 Commencement

This instrument comes into force on 20 June 2016.

3 Principal programme

This instrument amends the Housing Support Assistance Programme (as established and approved on 26 June 2014)¹ (the **principal programme**).

4 Clause 4 amended (Interpretation)

In clause 4(1), insert in its appropriate alphabetical order:

relocation from Auckland assistance is the assistance under Part 4

5 Clause 6 amended (Assistance is discretionary)

In clause 6, insert the words “or Part 4” directly after the words “Part 3”, wherever they appear.

6 Clause 6A amended (Relationship between Part 2 and Part 3)

(1) After clause 6A(2), insert:

¹ New Zealand Gazette, 3 July 2014, page 1975.

- (3) Despite clause 6(1), an applicant who has been granted assistance under Part 4 is not eligible to be granted moving assistance or a transition to alternative housing grant under Part 2 but may be granted other assistance under Part 2 or 3.
- (3) In the heading to clause 6A, replace “**Part 2 and Part 3**” with “**Parts 2, 3, and 4**”.

7 New Part 4 inserted

After Part 3, insert:

Part 4

Relocation from Auckland assistance

54 Purpose of this Part

The purpose of this Part is to provide financial assistance to specified people currently residing in Auckland to relocate to another region within New Zealand and help alleviate the hardship of having to meet relocation and re-establishment costs from their immediately available resources.

55 Definitions

In this Part,—

Auckland means the geographical area within the boundaries of Auckland as defined in clause 4 of the Local Government (Auckland Boundaries) Determination 2010

household, in relation to an applicant,—

- (a) means the applicant and his or her spouse or partner and dependent children (if any); and
- (b) includes any other person who is dependent on the applicant and who,—
- (i) resides with the applicant; or
- (ii) in relation to an applicant referred to in clause 56(a)(ii), intends to reside with the applicant and who was included in the housing needs assessment for the purposes of the applicant’s eligibility for social housing

relocate from Auckland, in relation to an applicant, means to move the place of residence of the applicant and his or her household from an area within Auckland to social housing or alternative housing in another region within New Zealand with intent to reside in that other region for the foreseeable future; and **relocation from Auckland** has a corresponding meaning

relocation from Auckland establishment grant has the meaning in clause 60(b)

relocation from Auckland moving grant has the meaning in clause 60(a).

56 Relocation from Auckland assistance: eligibility

An applicant who meets the residential criteria is eligible to be considered for relocation from Auckland assistance under this Part if,—

- (a) the applicant (whether alone or together with any other person) is currently residing in Auckland and is either—

- (i) a tenant of any social housing ; or
- (ii) a person who is awaiting allocation of social housing; and
- (b) the applicant intends to relocate from Auckland, and is willing and able to do so; and
- (c) in the chief executive's opinion, the relocation is likely to be sustainable.

57 Relocation from Auckland assistance: ineligibility

- (1) An applicant is ineligible for relocation from Auckland assistance if—
 - (a) he or she has cash assets or income in excess of the cash assets limit or the income limit; or
 - (b) he or she, or his or her spouse or partner, has previously been granted assistance under this Part; or
 - (c) is a person who (whether alone or together with any other person) has, within the previous 52-week period, received assistance to relocate his or her place of residence under the Employment and Work Readiness Assistance Programme.
- (2) However, an applicant who has been granted assistance to relocate to Christchurch under the Employment and Work Readiness Assistance Programme is eligible to be considered for a relocation from Auckland moving grant (but not a relocation from Auckland establishment grant) if the chief executive considers that the amount of the assistance under that programme is inadequate to enable the person's household to complete the relocation.

58 Relocation from Auckland assistance: principles to be applied in exercise of discretion

In exercising the discretion to grant assistance under this Part the chief executive must have regard to—

- (a) whether it is appropriate in the applicant's circumstances for the applicant to relocate out of Auckland (having regard to the services and support available or otherwise in the proposed new location); and
- (b) any other matters the chief executive considers relevant.

59 Relocation from Auckland assistance: applicants with spouse or partner

If an applicant has a spouse or partner, relocation from Auckland assistance may only be granted to either the applicant or the spouse or partner but not to both, unless the chief executive considers there are exceptional circumstances.

60 Relocation from Auckland assistance: components

If an applicant is granted relocation from Auckland assistance under this Part, the grant may comprise either or both of the following:

- (a) a **relocation from Auckland moving grant** to assist with the actual and reasonable costs of relocating the applicant's household from Auckland;

- (b) a relocation from Auckland establishment grant to assist the applicant and his or her household (if any) to re-establish in social housing or alternative housing in the other region.

61 Relocation from Auckland moving grant: moving costs defined

- (1) A cost is a moving cost for the purposes of clause 60(a) only if the chief executive considers it is a cost essential for the applicant to incur for the applicant and any other person in the applicant's household to relocate from Auckland and includes—
 - (a) the cost of moving the household furniture, appliances and the personal effects of the applicant and any other person in the applicant's household; and
 - (b) the actual and reasonable costs of transport for the applicant and any other person in the applicant's household to relocate from Auckland.
- (2) Without limiting subclause (1), the following costs are examples of moving costs:
 - (a) the costs of engaging a moving company;
 - (b) the costs of hiring a truck, van, or trailer;
 - (c) actual and reasonable fuel costs.

62 Relocation from Auckland assistance : amounts and limits

- (1) The total amount of any relocation from Auckland moving grant must not exceed \$5,000 unless the chief executive determines there are exceptional circumstances.
- (2) The amount of a relocation from Auckland moving grant for an applicant to whom clause 57(2) applies must be set having regard to the amount of assistance the applicant has received under the Employment and Work Readiness Assistance Programme.
- (3) The amount of any relocation from Auckland establishment grant is—
 - (a) \$2,000 if the applicant (whether alone or together with his or her household) is moving into social housing in another region; or
 - (b) \$3,000 if the applicant (whether alone or together with his or her household) is moving into alternative housing in another region.
- (4) The amounts set out above are per household and are payable to the applicant or, if there is more than 1 applicant, to the applicants in equal shares.

63 Relocation from Auckland assistance –grant letter

- (1) If the chief executive grants relocation from Auckland assistance to an applicant, the chief executive may—
 - (a) issue the applicant with a letter stating—
 - (i) that the applicant has been granted relocation from Auckland assistance; and
 - (ii) the components and maximum amounts of that assistance (as set out in clause 62); and
 - (b) take reasonable steps to assist the applicant to understand that the establishment grant may become recoverable (as set out in clause 64).
- (2) A grant letter may contain any other information or advice the chief executive thinks fit.

64 When relocation from Auckland establishment grant becomes recoverable

- (1) A relocation from Auckland establishment grant becomes recoverable if subclause (2) applies unless the chief executive considers there are exceptional circumstances why the grant ought not to be recoverable.
- (2) This subclause applies if, within 52 weeks from the date of payment of the grant or any component of the grant,
 - (a) the applicant or his or her spouse or partner becomes or again becomes a person awaiting allocation of social housing in Auckland, or
 - (b) the assistance is not used for the purpose for which it was paid (re-establishment in the region to which the applicant moved or intended to move).
- (3) If the relocation from Auckland establishment grant becomes recoverable under subclause (1), the amount of the grant is a debt due to the Crown by the applicant for the purpose of section 85A(d)(i) of the Act.

Dated at Wellington this day of 2016

Minister for Social Development

Explanatory note

This note is not part of the instrument, but is intended to indicate its general effect.

This instrument comes into effect on 20 June 2016. It amends the Housing Support Assistance Programme under the Social Security Act 1964. The effect of this instrument is to insert a new Part 4 that introduces relocation from Auckland assistance; new grants for moving and establishment for applicants and/or households who currently live in Auckland to relocate indefinitely to another region. The new establishment grant will be recoverable in certain circumstances.